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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/363,605	07/29/1999	PAUL A. LABERGE	MICE-0037-US	8331

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TROP PRUNER HU & MILES PC
8554 KATY FREEWAY
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HOUSTON, TX 77024

EXAMINER

CHUNG TRANS, XUONG MY

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 04/08/2003

41

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/363,605

Applicant(s)

LABERGE, PAUL A.

Examiner

Xuong M. Chung-Trans

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 22 January 2003.

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-26 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-5, 7-13 and 15-26 is/are rejected.

7) ☐ Claim(s) 6 and 14 is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) ☐ Interview Summary (PTO-413) Paper No(s) _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

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1. This is responsive to the amendment filed on 1/22/03.

Claims 1-26 are pending in this application.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3, 11 20 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 3, 11 and 20, the term "the first and second region near the memory bus and the buffer, respectively," is vague and indefinite. The location of the first and second regions, respectively, is unclear.

As per claim 22, the term "substantially" is vague and indefinite.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-5, 8-9, 11, 13, 18, 20-22 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al (PN 5,623,635).

As per claims 1,3-5, 8-9, 11, 13 18, and 20-22, Chen discloses the invention as claimed comprising: a local bus (12); a memory bus (18) capable of indicating data; and a buffer (21) adapted to capture the data directly from the memory bus. Chen does not

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explicitly disclose that the buffer being located closer to the local bus than to the memory bus. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system of Chen to locate the buffer closer to the local bus because this would provided for the buffer closely associated with the local bus and thereby allowed faster data transfer from the buffer to the local bus.

Chen further discloses conductive traces adapted to communicate indications of the data from the first region near the memory bus to a second region near the buffer, the conductive lines introducing an approximate first asynchronous propagation delay in the communication (fig.1).

Chen further discloses circuitry (160) adapted to transfer the data from the buffer to the local bus without introducing a second propagation asynchronous propagation delay that is greater than the first asynchronous propagation delay.

6. Claims 2, 7, 10, 12, 15-17, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of applicant admitted prior art (specification pages 1-2, figs. 1-5).

As per claims 2, 12, 19 and 23 Chen does not explicitly disclose the use of the data strobe signal. However, the use of such data strobe signal is well known in the art as admitted by applicant (fig. 4). Therefore, it would have been obvious to one skilled artisan at the time the invention was made to include the teaching of the admitted prior art in the invention of Chen in order to capture data from the memory bus.

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communicate with a fourth bus and a multiplexing circuit adapted to selectively cause the buffer to store other data from the third and fourth bus interfaces.

7. Claims 6 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


8. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuong M. Chung-Trans whose telephone number is (703) 305-9772. The examiner can normally be reached on Monday-Friday from 7:00 AM to 12:00AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley, can be reached on (703) 308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

XM Chung-Trans


SUMATI LEFKOWITZ
PRIMARY EXAMINER